



City of North Canton, Ohio

Council Office
145 North Main Street
North Canton, Ohio 44720-2587
330.499.3986 • 330.499.2960 Fax

www.northcantonohio.com
email: citycouncil@northcantonohio.com

NOTICE OF MEETING

Council Meeting Agenda Monday, May 11, 2009 – 7:00 P.M.

1. Call to Order: 7:00 p.m.
2. Opening Prayer:
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes – April 27, 2009
Mayor's Court Receipts – March, 2009

6. Committee Minutes
7. Recognition of Visitors

OLD BUSINESS:

8. **Ordinance No. 33-09 – 3rd Reading – Community & Economic Development**
An ordinance authorizing an agreement with The Fred W. Albrecht Grocery Company dba Acme Fresh Market #16 providing for a project and real property tax exemption pursuant to the Ohio Community Reinvestment Area Program, and declaring the same to be an emergency.
9. **Ordinance No. 34-09 – 3rd Reading - Water, Sewer & Rubbish**
An ordinance approving, confirming and accepting a thirty (30') foot Perpetual Water Utility Easement Agreement by and between the City of North Canton, an Ohio Municipality, ("Grantee") and Faith Family Church ("Grantor").
10. **Ordinance No. 35-09 – 3rd Reading – Finance & Property**
An ordinance accepting the recommendations of the City of North Canton Tax Incentive Review Council ("TIRC"), concerning the agreements granting exemptions from property taxation, to continue seven (7) of the existing and modify one (1) of the Community Reinvestment Area ("CRA") agreements.

11. **Ordinance No. 36-09 – 2nd Reading – Street & Alley**
An ordinance amending PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE of the Codified Ordinances of the City of North Canton by the addition under TITLE ONE – STREET AND SIDEWALK AREAS of a Sidewalk Policy and declaring the same to be an emergency.

NEW BUSINESS:

12. **Ordinance No. 44-09 – 1st Reading – Personnel & Safety**
An ordinance amending Ordinance No. 138-07, to establish a compensation rate and the position of Skilled Worker to the Service Department, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.
13. **Ordinance No. 45-09 – 1st Reading – Ordinance, Rules & Claims**
An ordinance amending Section 2. of Ordinance No. 56-08 to change the date and time all matters to be placed on the Committee of the Whole agenda shall be reported to the Clerk of Council prior to the Committee of the Whole Meeting and declaring the same to be an emergency.
14. **Ordinance No. 46-09 – 1st Reading – Finance & Property**
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the General Trust Fund to the General Trust – Fishing Rodeo Account in the amount of \$1,122.24 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.
15. **Ordinance No. 47-09 – 1st Reading – Finance & Property**
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Main Street Rehab – Professional Services Account in the amount of \$50,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.
16. **Ordinance No. 48-09 – 1st Reading – Finance & Property**
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services agreement for the design of the North Main Reconstruction Phase V Project, at a cost not to exceed \$50,000 and declaring the same to be an emergency.
17. **Ordinance No. 49-09 – 1st Reading – Water, Sewer & Rubbish**
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Storm Sewer Maintenance – Professional Services Account in the amount of \$25,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

REPORTS:

Director of Law	Director of Finance	Director of Administration	Mayor
City Engineer	Director of Economic Development	Clerk of Council	

REPORTS – COUNCIL:

Pat DeOrio	At Large	Doug Foltz	Ward 1
Marcia Kiesling	At Large	Daniel Peters	Ward 2
Daryl Revoldt	At Large	Jeff Davies	Ward 3
		Jon Snyder	Ward 4

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpác
Clerk of Council

5/8/09

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt., P&I, Police Chief
Fire/EMS Chief, Press



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EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, April 27, 2009 at 6:45 p.m. in the Council Chambers at North Canton City Hall.

Present for the Meeting were: Chairman Peters, Vice Chairman Snyder, and Member Revoldt, Council Members Davies, DeOrio, Foltz and Kiesling. Also present for the meeting were Mayor Held, Director of Administration Wise, Director of Law McFarren and Director of Finance Zumbar.

Upon a roll call vote of Council, all present moved into an executive session at 6:45 p.m. for the purpose of discussing collective bargaining. Subsequent to the discussion, the executive session adjourned at 7:02 p.m.

Respectfully submitted,

Daniel Peters, Chairman

Jon Snyder, Vice Chairman

Daryl Revoldt, Council Member

5/5/09-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt. P&I, Police Chief
Fire/EMS Chief, Press



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EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, May 4, 2009 at 6:30 p.m. in the Council Chambers at North Canton City Hall.

Present for the Meeting were: Chairman Peters, Vice Chairman Snyder, and Member Revoldt, Council Members Davies, DeOrio, Foltz and Kiesling. Also present for the meeting were Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar and Attorney Robert Tscholl.

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. for the purpose of discussing collective bargaining. Subsequent to the discussion, the executive session adjourned at 7:00 p.m.

Respectfully submitted,

Daniel Peters, Chairman

Jon Snyder, Vice Chairman

Daryl Revoldt, Council Member

5/5/09-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt. P&I, Police Chief
Fire/EMS Chief, Press



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FINANCE & PROPERTY COMMITTEE MEETING MINUTES

The Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Monday, May 4, 2009 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairman Davies, Member DeOrio, Council Members Foltz, Kiesling, Peters and Revoldt. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos and Director of Economic Development Bowles.

Items discussed:

- a. Mayor's Court Receipts – March, 2009: The mayor's court receipts were reviewed and will be placed on the May 11, 2009 council agenda for formal approval.
- b. Funding Update re Main Street Project: The Committee authorized legislation, on an emergency basis, authorizing the supplemental appropriation of funds to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Main Street Rehab – Professional Services Account in the amount of \$50,000 for the current expenses during the fiscal year ending December 31, 2009.

The Committee authorized legislation, on an emergency basis, authorizing the Mayor, through the Board of Control, to enter into a professional services agreement for the design of the North Main Reconstruction Phase V Project, at a cost not to exceed \$50,000.

- c. Administration's Proposed Outsourcing Recommendations re Mowing: Item was discussed. No action taken.
- d. Administration's Proposed Outsourcing Recommendations re Street Repair: Item was discussed. No action taken.
- e. Administration's Proposed Outsourcing Recommendations re Catch Basin Repair: Item was discussed. No action taken.
- f. Administration's Proposed Outsourcing Recommendations re Permits & Inspection: No discussion. No action taken.

- g. Administration's Proposed Outsourcing Recommendations re Dispatch: No discussion. No action taken.
- h. Administration's Proposed Outsourcing Recommendations re Retirements: No discussed. No action taken.

The agenda was amended to include the following:

- i. Supplemental Appropriation Request – Mayor's Fishing Rodeo: The Committee authorized legislation, on an emergency basis, authorizing the supplemental appropriation of funds to be appropriated from the unappropriated resources of the General Trust Fund to the General Trust – Fishing Rodeo Account in the amount of \$1,122.24 for the current expense during the fiscal year ending December 31, 2009.

Respectfully submitted,

Jon Snyder, Chairman

Jeff Davies, Vice Chairperson

Pat DeOrio, Member

5/5/09-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt., P&I, Police Chief
Fire/EMS Chief, Press



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ORDINANCE, RULES & CLAIMS COMMITTEE MEETING MINUTES

The Ordinance, Rules & Claims Committee of the North Canton City Council met as part of the Committee of the Whole Monday, May 4, 2009 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Revoldt, Vice Chairperson Foltz and Member Kiesling, Council Members Davies, DeOrio, and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos and Director of Economic Development Bowles.

Item discussed:

- a Amendment to Ordinance No. 56-08 re Date / Time for Submission of Committee of the Whole Agenda Items: The Committee authorized legislation, on an emergency basis, amending Section 2 of Ordinance No. 56-08 to change the date and time all matters to be placed on the Committee of the Whole agenda shall be reported to the Clerk of Council prior to the Committee of the Whole meeting.

Respectfully submitted,

Daryl Revoldt, Chairperson

Doug Foltz, Vice Chairperson

Marcia Kiesling, Member

5/5/09-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt. P&I, Police Chief
Fire/EMS Chief, Press



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PERSONNEL & SAFETY COMMITTEE MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met as part of the Committee of the Whole, Monday, May 4, 2009 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Peters, Vice Chairman Snyder and Member Revoldt, Council Members Davies, DeOrio, Foltz and Kiesling. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos and Director of Economic Development Bowles.

Item discussed:

- a. Amendment to Part-Time Ordinance No. 138-07 re Skilled Worker: The Committee authorized legislation amending Ordinance No. 138-07 to establish a compensation rate and the position of Skilled Worker to the Service Department.

Legislation to contain an emergency clause.

Respectfully submitted,

Daniel Peters, Chairman

Jon Snyder, Vice Chairman

Daryl Revoldt, Member

5/5/09-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt., P&I, Police Chief
Fire/EMS Chief, Press



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WATER, SEWER & RUBBISH COMMITTEE MINUTES

The Water, Sewer & Rubbish Committee of North Canton City Council met as part of the Committee of the Whole Monday, May 4, 2009 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairperson Davies, Vice Chairman DeOrio and Member Snyder, Council Members Foltz, Kiesling, Peters and Revoldt. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos and Director of Economic Development Bowles.

Item discussed:

- a. Portage / West Park Sewer Project: The Committee authorized legislation, on an emergency basis, authorizing the supplemental appropriation of funds to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Storm Sewer Maintenance – Professional Services Account in the amount of \$25,000 for the current expenses during the fiscal year ending December 31, 2009.

Respectfully submitted,

Jeff Davies, Chairperson

Pat DeOrio, Vice Chairman

Jon Snyder, Member

5/7/09-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt., P&I, Police Chief
Fire/EMS Chief, Press

RECORD OF ORDINANCES

0451

44-09

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 44-09

Passed _____, 20____

5/5/09-gmk
(Personnel & Safety)

Ordinance No. 44-09

An ordinance amending Ordinance No. 138-07, to establish a compensation rate and the position of Skilled Worker to the Service Department, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That Section 1 of Ordinance No. 138-07, to establish a compensation rate and the position of Skilled Worker to Service Department, be, and the same is hereby amended to read as follows:

Effective
5/1/2008

"Public Safety – FIRE / EMS

Assistant Fire Chief	\$ 14.96
Fire Captain	\$ 14.60
Fire Captain / EMT – Paramedic	\$ 14.60
Fire Captain / EMT – Basic	\$ 14.60
EMT – Paramedic	\$ 14.60
Firefighter / EMT – Paramedic	\$ 14.60
Firefighter / EMT – Basic	\$ 14.13
Firefighter	\$ 14.13
EMT – Basic	\$ 14.13
EMT Personnel on Standby	\$ 2.21

Manned at Station:

Firefighter / EMT - Paramedic/Basic	\$ 12.00
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EMT 's manned at station will not receive Standby Wages; hours will be a minimum of 5 hours/day, maximum of 10 hours/day, 30 hours/week.

Effective
5/1/2008

Public Safety – Police

Dispatcher C	\$ 12.21
School Crossing Guard	\$ 11.77
Auxiliary Police	\$ 11.04
Special Patrolman	\$ 14.96

Financial & Clerical

Fiscal/Clerical Specialist	\$ 11.88
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Building & Permits

Building Inspector	\$ 24.08
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Effective
5/1/2009

Service Department

Skilled Worker	\$ 14.50
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44-09

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 44-09

Passed _____, 20____

Effective
5/1/2008Municipal Swimming Pool

Pool Director*	\$5,928.25
Assistant Pool Director*	\$4,398.67
Concession Stand Mgr.*	\$4,610.85
Pool Personnel	\$ 7.35
Lifeguard I	\$ 7.65
Lifeguard II	\$ 7.94
Lifeguard/Instructor I	\$ 8.53
Lifeguard/Instructor II	\$ 8.83
Head Lifeguard I	\$ 9.11
Head Lifeguard II	\$ 9.41
Pool Maintenance	\$ 7.35
*Paid for Season	

General Government

Summer I	\$ 7.35
Summer II	\$ 7.94
Intern	\$ 9.27

Recreation

Class "A" Instructor	\$ 11.00
Senior Program Director**	\$ 203.50
**Paid bi-weekly"	

In the event the Senior Program Director works less than 20 hours in a bi-weekly pay period, the actual hours worked will be paid at his / her applicable hourly rate."

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for the timely establishment of the position of Skilled Worker and to ensure the continued efficient operation of the Service Department; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2009

ATTEST:

CLERK OF COUNCIL

G:\Legislation 2009\44-09 Part-time Ord re Skilled Worker.doc

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 45-09

Passed _____, 20____

5/5/09-gmk
(Ordinance, Rules & Claims)

Ordinance No. 45-09

An ordinance amending Section 2. of Ordinance No. 56-08 to change the date and time all matters to be placed on the Committee of the Whole agenda shall be reported to the Clerk of Council prior to the Committee of the Whole Meeting and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

- Section 1. That Section 2 of Ordinance No. 56-08, be, and the same is hereby amended to read as follows:
- Section 2. That all matters to be placed on the Committee of the Whole agenda shall be reported to the Clerk of Council by **4:30 p.m. on Wednesday** before the Committee of the Whole meeting.
- Section 3. That the Committee of the Whole agenda and supporting paperwork such as ordinances, resolutions, committee reports, etc., shall be available to the Council, Mayor, Director of Administration, Director of Law, and Director of Finance by 4:30 p.m. on the Friday before the Committee of the Whole meeting or as soon thereafter as possible.
- Section 4. That the President of Council with concurrence of the Committee Chairperson, if available, (effort to be documented by Clerk of Council) may make exceptions to this ordinance if time is available.
- Section 5. That Section 115.01(d)(9) and Section 115.01(d)(10) of the Rules of Council shall not apply to the Committee of the Whole meetings.
- Section 6. That any and all legislation inconsistent herewith is hereby repealed.
- Section 7. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely implementation of the change in the date and time all matters to be placed on the Committee of the Whole agenda are submitted and to ensure continued efficient operation of the Council Office; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH

Passed:

MAYOR

SIGNED: _____, 2009

ATTEST:

CLERK OF COUNCIL

Ordinance No. 46-09

Passed _____, 20____

5/5/09-gmk
(Finance & Property)

Ordinance No. 46-09

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the General Trust Fund to the General Trust – Fishing Rodeo Account in the amount of \$1,122.24 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON,
COUNTY OF STARK, STATE OF OHIO:

Section 1. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2009, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the	
212 General Trust Fund	\$1,122.24

Appropriate To:

212 General Trust Fund	
212.311.5200 General Trust – Fishing Rodeo	\$1,122.24

Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to ensure funding for the Mayor's Fishing Rodeo; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2009

ATTEST:

CLERK OF COUNCIL

Ordinance No. 47-09

Passed _____, 20____

5/5/09-gmk
(Finance & Property)

Ordinance No. 47-09

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Main Street Rehab - Professional Services Account in the amount of \$50,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2009, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the	
330 Capital Improvement Fund	\$50,000.00

Appropriate To:

330 Capital Improvement Fund	
330.545.5225 Professional Services	\$50,000.00

Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to ensure funding for the Main Street Rehab Project; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2009

ATTEST:

CLERK OF COUNCIL

Ordinance No. 48-09

Passed _____, 20____

5/5/09-gmk
(Finance & Property)

Ordinance No. 48-09

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services agreement for the design of the North Main Reconstruction Phase V Project, at a cost not to exceed \$50,000 and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON,
COUNTY OF STARK, STATE OF OHIO:

Section 1. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a professional services agreement for the design of the North Main Reconstruction Phase V Project, at a cost not to exceed \$50,000.

Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract upon receipt of vouchers duly approved by the proper departmental authority from appropriations applicable thereto.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely completion of the design of the North Main Reconstruction Phase V Project; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by the Council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2009.

ATTEST:

CLERK OF COUNCIL

Ordinance No. 49-09

Passed _____, 20____

5/5/09-gmk
(Water, Sewer & Rubbish)

Ordinance No. 49-09

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Storm Sewer Maintenance – Professional Services Account in the amount of \$25,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2009, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the	
330 Capital Improvement Fund	\$25,000.00

Appropriate To:

330 Capital Improvement Fund	
330.745.5225 Professional Services	\$25,000.00

Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to ensure funding for the Portage / West Park Sewer Project; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2009

ATTEST:

CLERK OF COUNCIL